

AMENDED IN ASSEMBLY MAY 22, 2007

AMENDED IN ASSEMBLY MAY 14, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 1273

Introduced by Assembly Member Leno

February 23, 2007

An act to amend Section 935.6 of the Government Code, relating to state claims, ~~and~~ making an appropriation therefor, *and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 1273, as amended, Leno. State claims.

Existing law requires the California Victim Compensation and Government Claims Board to report to the Legislature when there is no sufficient appropriation available for the payment of a claim against the state allowed by the board.

This bill would appropriate \$517,869.13 from various funds to the Executive Officer of the California Victim Compensation and Government Claims Board to pay claims accepted by the board. This bill would require the Controller, upon the request of the board, in a form prescribed by the Controller, to transfer surcharges and fees from the Budget Act items of appropriation identified in this bill to Item 8700-001-0001 of Section 2.00 of the Budget Act of 2007, as specified.

Existing law requires the state to pay counties for the costs of conducting specified elections proclaimed by the Governor during 2006.

This bill would appropriate \$1,765,000 from the General Fund to the board to pay claims resulting from county election costs under these provisions.

Existing law provides that the board may authorize any state agency to settle and pay claims filed against the state in connection with specified filing fees if the settlement does not exceed \$1,000.

This bill would authorize any state agency to settle any claim against the state if the settlement does not exceed \$1,000.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: yes. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 935.6 of the Government Code is
2 amended to read:

3 935.6. (a) The Victim Compensation and Government Claims
4 Board may authorize any state agency to settle and pay claims
5 filed pursuant to Section 905.2 if the settlement does not exceed
6 one thousand dollars (\$1,000) or a lesser amount as the board may
7 determine, or to reject the claim and provide the notice required
8 by Section 913. The board may require state agencies that it so
9 authorizes to report annually to the board concerning the claims
10 resolved pursuant to this section.

11 (b) As used in this section, “state agency” means any office,
12 officer, department, division, bureau, board, commission, or agency
13 of the state, claims against which are paid by warrants drawn by
14 the Controller, but does not mean any judicial branch entity, as
15 defined in Section 900.3, or any judge thereof.

16 SEC. 2. (a) The sum of five hundred seventeen thousand eight
17 hundred sixty-nine dollars and thirteen cents (\$517,869.13) is
18 hereby appropriated from the various funds, as specified in
19 subdivision (b), to the Executive Officer of the California Victim
20 Compensation and Government Claims Board for the payment of
21 claims accepted by the board in accordance with the schedule set
22 forth in subdivision (b).

23 (b) Pursuant to subdivision (a), claims accepted by the California
24 Victim Compensation and Government Claims Board shall be paid
25 in accordance with the following schedule:

26
27 Total for Fund: General Fund (0001)..... \$302,528.42
28 Total for Fund: Item 0950-001-0001

1	Budget Act of 2007, Program 20.....	\$500.00
2	Total for Fund: Item 1900-001-0822	
3	Budget Act of 2007, Program 30.....	\$655.50
4	Total for Fund: Item 2660-001-0042	
5	Budget Act of 2007, Program 50.00.....	\$15,615.35
6	Total for Fund: Item 2740-001-0044	
7	Budget Act of 2007, Program 40.01.....	\$370.67
8	Total for Fund: Item 2740-001-0044	
9	Budget Act of 2007, Program 41.01.....	\$2,865.13
10	Total for Fund: Item 2740-001-0064	
11	Budget Act of 2007, Program 30.....	\$196.00
12	Total for Fund: Item 3600-001-0001	
13	Budget Act of 2007, Program 20.....	\$175,000.00
14	Total for Fund: Item 3600-001-0200	
15	Budget Act of 2007, Program 20.....	\$2,048.18
16	Total for Fund: Item 4260-001-0001	
17	Budget Act of 2007, Program 20.....	\$7,198.18
18	Total for Fund: Item 5180-111-0001	
19	Budget Act of 2007, Program 25.15.....	\$3,630.09
20	Total for Fund: Item 6610-001-0001	
21	Budget Act of 2007, Program 06.....	\$1,032.00
22	Total for Fund: Item 7100-001-0185	
23	Budget Act of 2007, Program 21.....	\$988.84
24	Total for Fund: Item 7100-101-0588	
25	Budget Act of 2007, Program 21.....	\$3,125.77
26	Total for Fund: Item 7100-101-0871	
27	Budget Act of 2007, Program 21.....	\$2,115.00

28

29 (c) In addition to amounts identified in subdivision (b), the sum
30 of two hundred thirty-nine thousand eleven dollars (\$239,011) of
31 the unencumbered balance in the Safe Neighborhood Parks, Clean
32 Water, Clean Air and Coastal Protection Bond Fund, which was
33 previously appropriated to the Department of Parks and Recreation
34 in Item 3790-102-0005 of the Budget Act of 2000 (Chapter 52 of
35 the Statutes of 2000), is hereby reappropriated to the Executive
36 Officer of the California Victim Compensation and Government
37 Claims Board for the payment of a claim to the City of St. Helena.

38 SEC. 3. Upon the request of the California Victim
39 Compensation and Government Claims Board, in a form prescribed
40 by the Controller, the Controller shall transfer surcharges and fees

1 from the Budget Act items of appropriation identified in
2 subdivisions (b) and (c) of Section 2 of this act to Item
3 1870-001-0001 of Section 2.00 of the Budget Act of 2007. For
4 each Budget Act item of appropriation, this amount shall not
5 exceed the cumulative total of the per claim filing fees authorized
6 by subdivision (c) of Section 905.2 of the Government Code and
7 the surcharge authorized by subdivision (f) of Section 905.2 of the
8 Government Code. For those items in subdivisions (b) and (c) of
9 Section 2 that do not reflect a Budget Act appropriation, the
10 Controller shall transfer an amount not to exceed the cumulative
11 total of the per claim filing fees authorized by subdivision (c) of
12 Section 905.2 of the Government Code and the surcharge
13 authorized by subdivision (f) of Section 905.2 of the Government
14 Code. This amount shall be transferred for support of the board as
15 reimbursements to Item 1870-001-0001 of Section 2.00 of the
16 Budget Act of 2007. The board shall provide a report of the
17 amounts recovered pursuant to this authority to the Department of
18 Finance within 90 days of the enactment of this act.

19 SEC. 4. (a) The sum of one million seven hundred sixty-five
20 thousand dollars (\$1,765,000) is hereby appropriated from the
21 General Fund to the Executive Officer of the California Victim
22 Compensation and Government Claims Board to pay claims
23 resulting from county special election costs pursuant to Chapter
24 727 of the Statutes of 2006.

25 (b) This amount is based on, and reimbursement shall be
26 provided at, a maximum rate of up to one dollar and thirty-seven
27 cents (\$1.37) per registered voter or the actual amount claimed for
28 nonconsolidated elections, whichever is less, and a maximum rate
29 of up to sixty-six cents (\$0.66) per registered voter or the actual
30 amount claimed for consolidated elections, whichever is less.

31 (c) The funds appropriated in this act may only be used to pay
32 claims for special election costs authorized pursuant to Chapter
33 727 of the Statutes of 2006. Any funds appropriated in excess of
34 the amounts actually required for the payment of these claims shall
35 revert to the General Fund on June 30 of fiscal year 2007–08.

36 SEC. 5. Pursuant to Section 13965 of the Government Code,
37 the Legislature hereby approves the report submitted by the
38 California Victim Compensation and Government Claims Board
39 on the following victim compensation claims:

1	Claim No. 501531.....	\$9,432.50
2	Claim No. 672144.....	\$3,569.47

3

4 *SEC. 6. This act is an urgency statute necessary for the*
5 *immediate preservation of the public peace, health, or safety within*
6 *the meaning of Article IV of the Constitution and shall go into*
7 *immediate effect. The facts constituting the necessity are:*

8 *In order to settle claims against the state and end hardship to*
9 *claimants as quickly as possible, it is necessary for this act to take*
10 *effect immediately.*

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